

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JUAN ISIDRO ITZEP, HECTOR MARIO	§	
SOLIS PEREZ, MARIA PUGA, RENE	§	
de LEON RAMIREZ, JOSE ALEJANDRO	§	
ALCARAZ RAMIREZ, JOSE de JESUS	§	
ALCARAZ HERNANDEZ, JOSE PEREZ,	§	
MARIA del CARMEN RAMOS,	§	
ABIGAIL VALDIVIA PEREZ, VICTOR	§	
ALCARAZ RUIZ, ELVIA PALACIOS	§	
RIOJAS, MARIA ROSARIO BALDERAS	§	
SERGIO RIVERA, JOSE GARCIA	§	
GARCIA, BELEN HERNÁNDEZ	§	
ARRIAGA, GLORIA CABRERA,	§	
MARTA ZUÑIGA, and PAUL MENDOZA	§	CIVIL ACTION NO. SA-06-CA-0568-XR
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
TARGET CORPORATION, and	§	
JIM'S MAINTENANCE & SONS, INC.	§	
dba JIM'S MAINTENANCE and JIM'S	§	
COMMERCIAL CLEANING SERVICES,	§	
and JAMES FUNDERBURGH	§	
	§	
Defendants. §		

JOINT ADR REPORT

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiffs and Defendant Target file this Joint ADR Report in accordance with the Scheduling Order entered on October 16, 2006.

**Status of Settlement Negotiations.** In accordance with the Scheduling Order, the parties are set to exchange initial settlement offers on November 9 and November 16, 2006, respectively. Counsel for the parties also have discussed the issue of settlement generally. Plaintiffs through their counsel have indicated a willingness to

engage in further settlement negotiations. Defendants through their counsel have indicated a willingness to engage in further settlement negotiations after appropriate discovery.

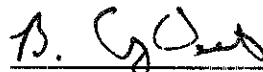
**Persons Responsible for Settlement Negotiations.** The Plaintiffs, together with their attorneys, are responsible for settlement negotiations on Plaintiffs' behalf. The persons responsible for settlement negotiations for Defendant Target are Defendant Target's attorneys of record.

**Appropriateness of ADR for this Case.** Plaintiffs feel that ADR by means of mediation is appropriate for this case. Defendant Target believes that ADR by means of mediation may be appropriate after discovery.

Counsel for the parties certify that their clients have been informed of the ADR procedures available in this district.

Respectfully submitted,

DEATS DURST OWEN & LEVY, P.L.L.C.



B. Craig Deats

TBN: 05703700

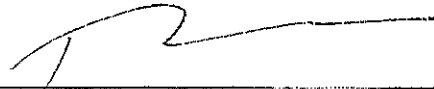
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**Counsel for Defendant Target Corp.**

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing has been sent to counsel for Defendants Thomas A. Davis and David T. Wiley, Constangy, Brooks & Smith, L.L.C., 1819 Fifth Avenue North, Suite 900, Birmingham, Alabama 35203, by telephonic document transfer to (205) 323-7674; and on Mark R. Flora and W. Scott McLellan, Constangy, Brooks & Smith, L.L.C., 111 Congress Avenue, 4<sup>th</sup> Floor, Austin, Texas 78701, by telephonic document transfer to (512) 391-6821; and on Defendants Jim's Maintenance & Sons, Inc. and James Funderburgh at 360 S. Indian Meridian, Choctaw, Oklahoma 73020, by 1<sup>st</sup> Class mail, on this 2nd day of November, 2006.



B. Craig Deats